

## MINUTES, LIMESTONE COUNTY COMMISSION, MAY 21, 2012

The Limestone County Commission met in a regular meeting today, at 10:00 a.m. at the Clinton Street Courthouse Annex, 100 South Clinton Street, Athens, Alabama.

PRESENT: Gary Daly, Gerald Barksdale, James W. "Bill" Latimer, and Bill Daws.  
Absent: None. Stanley Menefee, Chairman presided.

The meeting began with the Pledge of Allegiance.

**MOTION** was made by Gerald Barksdale and seconded by Gary Daly to approve the minutes of May 7 & 16, 2012.

The Chairman asked if there was any discussion. There was no discussion. The Chairman called the roll. Gary Daly, aye; Gerald Barksdale, aye; James W. "Bill" Latimer, aye; and Bill Daws, aye. Motion carries unanimously.

**MOTION** was made by James W. "Bill" Latimer and seconded by Bill Daws to approve the following claims

5/04/12	Check # 19679 - 19753	\$ 513,914.75
5/11/12	Check # 19754 - 19814	<u>\$ 574,433.18</u>
	TOTAL	\$1,088,347.93

with detailed claims of the above being on file for review upon request to the County Administrator.

The Chairman asked if there was any discussion. There was no discussion. The Chairman called the roll. Gary Daly, aye; Gerald Barksdale, aye; James W. "Bill" Latimer, aye; and Bill Daws, aye. Motion carries unanimously.

**MOTION** was made by Gerald Barksdale and seconded by Bill Daws to authorize the Chairman to execute the following resolution for the Severe Weather Preparedness Tax Holiday.

### **RESOLUTION PROVIDING FOR LIMESTONE COUNTY'S PARTICIPATION IN THE "SEVERE WEATHER PREPAREDNESS TAX HOLIDAY" AS AUTHORIZED BY ACT NO. 2012-256**

**WHEREAS**, during its 2012 Regular Session, the Alabama Legislature enacted Act No. 2012-256, which provides an exemption of the state sales and use tax for certain "covered items" purchased related to severe weather preparedness during the first full weekend of July 2012 and the last full weekend of February in subsequent years; and

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**WHEREAS**, Act No. 2012-256 authorizes the county commission to provide for an exemption of county sales and use taxes for “certain” items covered by the Act during the same time period in which the state sales and use tax exemption is in place, provided a resolution to that effect is adopted at least 14 days prior to the first full weekend of July in 2012 and at least 30 days prior to the last full weekend of February in subsequent years; and

**WHEREAS**, the Limestone County Commission has affirmatively voted to grant the exemption of county sales and use taxes on purchases covered by Act No. 2012-256 during the first full weekend of July 2012, beginning at 12:01 a.m. on July 6, 2012 and ending at twelve midnight on Sunday, July 8, 2012, the first full weekend of July in 2012; and

**WHEREAS**, Code of Alabama 1975, § 11-51-210(e) requires that the county commission notify the Alabama Department of Revenue of any new local tax or amendment to an existing local tax levy; and

**WHEREAS**, the exemption of certain county sales and use taxes for the first full weekend of July 2012 herein adopted by the county commission is an amendment to the county’s sales and use tax levy warranting notice to the Alabama Department of Revenue as provided in Code of Alabama 1975, § 11-51-210(e);

**WHEREFORE BE IT RESOLVED BY THE LIMESTONE COUNTY COMMISSION** that it does hereby provide for an exemption of the county sales and use tax on purchases of items covered by Act No. 2012-256 beginning at 12:01 a.m. on Friday, July 6, 2012 and ending at twelve midnight on Sunday, July 8, 2012.

**BE IT FURTHER RESOLVED** that a copy of this resolution be spread upon the minutes of the May 21, 2012 meeting of the Limestone County Commission, and be immediately forwarded to the Alabama Department of Revenue in compliance with Code of Alabama 1975, § 11-51-210(e).

**IN WITNESS WHEREOF**, the Limestone County Commission has caused this Resolution to be executed in its name and on its behalf by its Chairman on this the 21<sup>st</sup> day of May 2012.

\_\_\_\_\_  
Stanley Menefee, Chairman

The Chairman asked if there was any discussion. There was no discussion. The Chairman called the roll. Gary Daly, aye; Gerald Barksdale, aye; James W. “Bill” Latimer, aye; and Bill Daws, aye. Motion carries unanimously.

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**MOTION** was made by James W. "Bill" Latimer and seconded by Gary Daly to authorize the Chairman to execute the following resolution for an ADECA Recreational Trails Grant for the Richard Martin Trails Improvement Program, with a County match not to exceed \$7,400.00, which will be reimbursed by the Parks & Recreation Board.

### Resolution

2012 Alabama Department of Economic and Community Affairs,  
Recreational Trails Grant Program

WHEREAS, the Limestone County Commission desires, on behalf of its citizens, to make application for and to utilize the funds and resources of the Alabama Department of Economic and Community Affairs FY 2012 Recreational Trails Program; and

WHEREAS, the Limestone County Commission intends to use said funds to make improvements to the Rails to Trails, Richard Martin Trail by repairing trail; painting historical Veto Church and adding interpretive signage on the trail; and

WHEREAS, said programs are limited to funding a maximum of eighty percent (80%) of the proposed project costs (\$34,444.00), estimated at \$29,555.20, which will be used for repairs to the project.

NOW THEREFORE BE IT RESOLVED, that the Limestone County Commission hold in reserve twenty percent (20%) of the proposed project cost, for a total of \$6,888.80, for the purpose of matching the Recreational Trails Program assistance, and

BE IT FURTHER RESOLVED, that in the event a grant is awarded, the Limestone County Commission understands that it will sign assurances to comply with all applicable Federal and State laws, rules and regulations.

\_\_\_\_\_  
Stanley Menefee  
Chairman, Limestone County Commission

\_\_\_\_\_  
Date

\_\_\_\_\_  
Attest  
Pam Ball  
County Administrator

The Chairman asked if there was any discussion. There was no discussion. The Chairman called the roll. Gary Daly, aye; Gerald Barksdale, aye; James W. "Bill" Latimer, aye; and Bill Daws, aye. Motion carries unanimously.

## MINUTES, LIMESTONE COUNTY COMMISSION, MAY 21, 2012

**MOTION** was made by James W. "Bill" Latimer and seconded by Bill Daws to authorize the Chairman to execute an agreement with the Alabama Department of Transportation for intersection improvements at Thomas L. Hammonds Road and US Highway 31, for widening and resurfacing to the entrance of Carpenter Technology Corporation, in the amount of \$280,000.00 with no County match.

The Chairman asked if there was any discussion. There was no discussion. The Chairman called the roll. Gary Daly, aye; Gerald Barksdale, aye; James W. "Bill" Latimer, aye; and Bill Daws, aye. Motion carries unanimously.

**MOTION** was made by Bill Daws and seconded by James W. "Bill" Latimer to award the following bid proposal to the lowest responsible bidder meeting specifications as follows:

Proposal No.	Item	Awarded To	Amount
2395	Gasoline & Diesel (June 1 - August 31, 2012)	Campbell & Sons Lubricants W. H. Thomas Oil Company	.15 Gallon .15 Gallon

The Chairman asked if there was any discussion. There was no discussion. The Chairman called the roll. Gary Daly, aye; Gerald Barksdale, aye; James W. "Bill" Latimer, aye; and Bill Daws, aye. Motion carries unanimously.

**MOTION** was made by Bill Daws and seconded by Gary Daly to approve family medical leave for Jackie McNatt, beginning May 16, 2012 until August 8, 2012.

The Chairman asked if there was any discussion. There was no discussion. The Chairman called the roll. Gary Daly, aye; Gerald Barksdale, aye; James W. "Bill" Latimer, aye; and Bill Daws, aye. Motion carries unanimously.

**MOTION** was made by Gary Daly and seconded by Gerald Barksdale to approve the following subdivisions:

Name	S/D Type	Approval Type	Lots	District	Location
The Arbors Add. 1	Major	Final	23	2	Newby Road, north side, extending The Arbors Subdivision
Arrow Head Estates (Resubdivision Tract 6)	Minor	Preliminary & Final	1	1	Upper Fort Hampton Road 3.9 miles north of Elkmont on the east side

The Chairman asked if there was any discussion. There was no discussion. The Chairman called the roll. Gary Daly, aye; Gerald Barksdale, aye; James W. "Bill" Latimer, aye; and Bill Daws, aye. Motion carries unanimously.

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**MOTION** was made by Gerald Barksdale and seconded by Gary Daly to approve a 25 mph speed limit on Cambridge Lane, north of Highway 72 in District 2.

The Chairman asked if there was any discussion. There was no discussion. The Chairman called the roll. Gary Daly, aye; Gerald Barksdale, aye; James W. "Bill" Latimer, aye; and Bill Daws, aye. Motion carries unanimously.

**MOTION** was made by Bill Daws and seconded by James W. "Bill" Latimer to approve entering into contract to purchase the former L & S Shopping Center property for \$525,000.00, pending clear title, attorney approval and resolution of any other pre-closing issues.

The Chairman asked if there was any discussion. There was no discussion. The Chairman called the roll. Gary Daly, aye; Gerald Barksdale, aye; James W. "Bill" Latimer, aye; and Bill Daws, aye. Motion carries unanimously.

Commissioner Bill Daws responded to comments made by George Hill, saying that the county has 350 to 400 enrolled in the Community Corrections program that would have nowhere to report to if the programs finds itself homeless in June. The county needed space to house Community Corrections, State Probation, Family Resource Center and Brian Jones' pre-trial diversion program. He stated that it wasn't a decision made on a whim.

District Attorney Brian Jones alleged that Limestone County was one of the few counties in the state that did not have the pre-trial diversion program before passing of the bill during this legislative session and signed into law by Governor Robert Bentley. He acknowledged that he could find the program a home in the L&S shopping center. He believed the program could save the county money in the long run, if it succeeds, because it will ease overcrowding in the prisons and jails. If the program is not successful, it will shut itself down. He asked the commission "to take a leap of faith and watch us try to save some money".

Chairman Stanley Menefee said, "I don't want to go out on a limb hoping it will be successful. You'll collect fees to pay for that, and I understand what you are doing. Political positions change and the next D.A. may not like the program. I don't have a problem with the pre-trial diversion program, but the other is a problem because we're committing the county for a long time". Chairman Menefee further avowed that the county does not have an obligation to provide space for the pre-trial diversion program or the Family Resource Center; which is a 501c3, not for profit organization.

Recessed at 10:19 a.m. until 10:00 a.m. on Wednesday, May 30, 2012, at the Washington Street Courthouse Annex, 310 West Washington Street, Athens, AL.